

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

RICHARD JAMES DIDZUN, *et al.*,
Plaintiffs,
v.
THE HOME DEPOT, INC., *et al.*,
Defendants.

CASE NO. 2:21-cv-01540-RSL

ORDER

This matter comes before the Court on plaintiff's "Motion for Preliminary Approval of Class Action Settlement." Dkt. # 43. Although the class definition and language of the settlement agreement clearly state that the agreement covers only defendants' hourly associate employees, defendants assert that they intended the settlement to cover salaried as well as hourly non-exempt associates and that they provided the employment data of both salaried and hourly non-exempt associates to plaintiffs for calculation of the settlement amount.

The Clerk of Court is directed to renote plaintiffs' motion for preliminary approval on the Court's calendar for Friday, July 12, 2024. The parties shall meet and confer to determine whether agreement can be reached regarding the inclusion of salaried non-exempt associates in the settlement and the terms on which any such inclusion would be made. The parties shall file a joint status report on or before Wednesday, July 10, 2024,

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1 notifying the Court whether the pending motion should be decided based on the existing
2 Settlement Agreement or on an amended agreement. If the parties need additional time to
3 finalize an amended agreement, they may request a further continuance in the joint status
4 report.

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6 Dated this 10th day of June, 2024.

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9 Robert S. Lasnik
United States District Judge